

1 MICHAEL J. ZINNA (*pro hac vice*)
mzinna@kelleydrye.com
2 LEE BRENNER (State Bar No. 180235)
lbrenner@kelleydrye.com
3 DAVID FINK (State Bar No. 169212)
dfink@kelleydrye.com
4 DAVID G. LINDENBAUM (*pro hac vice*)
dlindenbaum@kelleydrye.com
5 WHITNEY M. SMITH (*pro hac vice*)
wsmith@kelleydrye.com
6 KELLEY DRYE & WARREN LLP
101 Park Avenue
7 New York, New York 10178
Telephone 212-808-7800
8 Facsimile 973-503-5950

9 Attorneys for Plaintiff ZOMM, LLC

10 DAVID R. EBERHART (S.B. #195474)
deberhart@omm.com
11 LUANN L. SIMMONS (S.B. #203526)
lsimmons@omm.com
12 SINA ARIA (S.B. #287529)
saria@omm.com
13 HANNAH Y. CHANOINE (*pro hac vice*)
hchanoine@omm.com
14 O'MELVENY & MYERS LLP
Two Embarcadero Center, 28th Floor
15 San Francisco, California 94111-3823
Telephone: +1 415 984 8700
16 Facsimile: +1 415 984 8701

17 Attorneys for Defendant
APPLE INC.

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19 **UNITED STATES DISTRICT COURT**
20 **NORTHERN DISTRICT OF CALIFORNIA**
21 **OAKLAND DIVISION**

22 ZOMM, LLC,

23 Plaintiff,

24 v.

25 APPLE INC.,

26 Defendant.

Case No. 4:18-cv-04969-HSG

**JOINT STIPULATION AND
ORDER TO EXTEND
TIME FOR DEFENDANT TO
RESPOND TO SECOND AMENDED
COMPLAINT**

Second Amnd. Compl. Filed: July 17, 2019
Judge: Haywood S. Gilliam, Jr.

1 Pursuant to Civil Local Rules 6-1, 6-2, and 7-12, Plaintiff Zomm LLC (“Zomm”) and
2 Defendant Apple Inc. (“Apple”), by and through their undersigned counsel and subject to the
3 Court’s approval, hereby request an order extending the time for Apple to respond to Zomm’s
4 Second Amended Complaint by twenty-one (21) days to August 21, 2019.

5 WHEREAS, Zomm filed a Second Amended Complaint on July 17, 2019 (Dkt. No. 84);

6 WHEREAS, Apple’s response to Zomm’s Second Amended Complaint is currently due
7 on or before July 31, 2019;

8 WHEREAS, to accommodate both parties’ counsels’ pre-planned summer vacation and
9 work schedules, the parties agreed to extend, subject to the Court’s approval, the time for Apple
10 to file its response to Zomm’s Second Amended Complaint by twenty-one (21) days, until August
11 21, 2019;

12 WHEREAS, the modification requested herein will not alter the date of any other event or
13 any deadline already fixed by Court order; and

14 WHEREAS, this is the first request the parties have made for an extension of time for
15 Apple to respond to the Second Amended Complaint.

16 It is hereby STIPULATED AND AGREED, by and between the parties, subject to the
17 approval of the Court, as follows:

- 18 1. Apple will file a response to Zomm’s Second Amended Complaint no later than
19 August 21, 2019.

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21 Pursuant to Civil L.R. 6-2(a), this stipulation is supported by the concurrently filed
22 Declaration of Luann L. Simmons.

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IT IS SO STIPULATED.

Dated: July 23, 2019

KELLEY DRYE & WARREN LLP

By: /s/ Michael J. Zinna

Michael J. Zinna
Attorneys for Plaintiff
ZOMM, INC.

Dated: July 23, 2019

O'MELVENY & MYERS LLP

By: /s/ Luann L. Simmons

Luann L. Simmons
Attorneys for Defendant
APPLE INC.

FILER'S ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I hereby attest that the other signatory listed, on whose behalf the filing is submitted, concurs in the filing's content and has authorized the filing.

Dated: July 23, 2019

O'MELVENY & MYERS LLP


By: /s/ Luann L. Simmons

Luann L. Simmons
Attorneys for Defendant
APPLE INC.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

Dated: July 24, 2019


Haywood S. Gilliam, Jr.
United States District Court Judge